

Notice of Allowability

Application No.

09/348,069

Examiner

Clark F. Dexter

Applicant(s)

FABRIZIO, ARNETOLI

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the appeal brief filed on July 10, 2004.
2. ☒ The allowed claim(s) is/are 41-76.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 8, 11, 19, 24.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Theobald Dengler on November 18, 2004.

2. The application has been amended as follows:

In the Claims

Claim 41 has been rewritten as follows:

-- 41. (Amended) A grass-cutting head with a line, the head comprising:
a housing;
at least one spool placed in said housing and on which a line can be wound in a winding area, said spool including an anchor located within the winding area of the spool for holding an end of the line, said anchor being arranged ~~to be~~ proximate to an inner winding surface of said spool and corresponding in location to an access slot in a surface of said spool so that the anchor is accessible to an operator from outside said housing to enable the end of the line to be connected to said anchor of said spool without taking said spool out of said housing;
a feed mechanism in said housing for feeding the line from said spool;

a winding mechanism in said housing for rotating said spool to enable a supply of the line to be wound onto said spool;

a stop connected to said housing to hold said spool in said housing while the line is being connected to said anchor, said stop and said anchor being arranged and sized to have said anchor be accessible.--.

Claim 47, line 5, --a plurality of said-- has been inserted after "defines", and --a corresponding plurality of-- has been inserted after "to".

Claims 77-80 have been deleted.

Remarks

3. The above changes were made to more clearly define the claimed invention over the prior art of record, for example, over WO 97/29627. Claims 77-80 were canceled to expedite prosecution and place the application in condition for allowance.

Additional Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The newly-cited prior art disclose inventions which have features similar to the claimed invention. However, these inventions, each taken alone or in combination with the prior art of record, do not teach or fairly suggest the claimed invention.

REASONS FOR ALLOWANCE

5. The following is an examiner's statement of reasons for allowance:

None of the prior art of record, either taken alone or in combination, teaches or fairly suggests the claimed invention. For example, none of the prior art of record teaches or fairly suggests a housing as claimed, at least one spool as claimed a feed mechanism as claimed, a winding mechanism as claimed and a stop as claimed, wherein the anchor is arranged proximate to an inner winding surface of said spool and corresponding in location to an access slot in a surface of said spool so that the anchor is accessible to an operator from outside said housing to enable the end of the line to be connected to said anchor without taking said spool out of said housing. It is noted that while WO 97/29627 (as well as its equivalent U. S. Patent to Everts et al., pn 5,659,960) teaches many of the claimed features, it does not disclose the anchor and access slot configuration as claimed. Further, while Worthing, pn 5,490,641 discloses a similar anchor and access slot configuration, it does not teach or fairly suggest the claimed invention, particularly a winding mechanism as claimed, a stop as claimed, or an anchor mechanism located within the winding area of the spool as claimed.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3724

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (703)308-1404. The examiner can be reached Monday through Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (703)308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Clark F. Dexter
Primary Examiner
Art Unit 3724

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November 29, 2004